IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SEVENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 12933 of 2004

Between:

V.Bheem Reddy, s/o V.Vardha Reddy,
r/o Tummalsugur (Vill), Tadur (Mandal), Mahabubnagar District.

..... PETITIONER

AND

1 Inspector of Motor Vehicle, Kalwakurthy, Mahaboobnagar District, A.P.,
2 Regional Transport Officer, Mahaboobnagar, A.P.,
3 The Station House Officer, Nagarkurnool Police Station,
Mahaboobnagar District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ of mandamus or any other appropriate writ, order or direction, declaring the action of the 1st respondent is illegal and arbitrary in seizing the Tractor Bearing No.AP-22-T-4264 /65 dated 19-7-2004 on the ground that Permit, R.C.D.L. not produced, no proof of tax and F.C.

Counsel for the Petitioner:MR.JILLELLA RAJESWARA RAO

Counsel for the Respondent Nos. 1 and 2.: GP FOR TRANSPORT

Counsel for the Respondent No.3 : Government Pleader for Home

The Court made the following :

ORDER:

(per Sri Bilal Nazki, J)

Heard the learned counsel for the parties and with their consent the matter is being disposed of at this stage.

It is submitted that the Tractor bearing No. AP.22T 4264 and Trailor No. AP-22 T 4265 belonging to the petitioner was inspected by the Motor Vehicles Inspector on 19.07.2004 and he found the vehicle without Registration Certificate, without driving licence, without permit, without F.C, without I.C and without proof of tax, and, enquiry is pending.

Under these circumstances, we dispose of the Writ Petition by directing the petitioner to pay the tax due and on payment of tax due, vehicles shall be released subject to the final orders in the enquiry. During the pendency of the enquiry, the petitioner shall not alienate the vehicles or create any third party interest.

Accordingly, the Writ Petition is disposed of. No costs.

ASSISTANT REGISTRAR

// TRUE COPY//

SECTION OFFICER

DATED: 27.7.2004.

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Note: Communicate copy in two days.

To

1 Inspector of Motor Vehicle, Kalwakurthy, Mahaboobnagar District, A.P.,
2 Regional Transport Officer, Mahaboobnagar, A.P.,
3 The Station House Officer, Nagarkurnool Police Station,
Mahaboobnagar District.

4. 2 CCs to G.P for Transport, High Court Buildings, High Court of A.P., Hyderabad.

5. 2 CCs to the Government Pleader for Home, High Court of A.P., (OUT)

6. Two C.D.copies